

**IN THE MATTER OF**  
**PEDRO VILLALOBOS, PHARM TECH**  
**Registration Number: T15438**  
**Respondent**

**\* BEFORE THE**  
**\* STATE BOARD**  
**\* OF**  
**\* PHARMACY**  
**\* Case Number: PT-18-009**

\* \* \* \* \*

**ORDER FOR SUMMARY SUSPENSION**

Pursuant to Md. Code Ann., State Gov't II ("SG II") §10-226 (c)(2) (2014 Repl. Vol. and 2017 Supp.), the State Board of Pharmacy (the "Board") hereby suspends the registration to practice as a Pharmacy Technician ("Pharm Tech") in Maryland issued to **PEDRO VILLALOBOS** (the "Respondent"), under the Maryland Pharmacy Act (the "Act"), Md. Code Ann., Health Occupations II (Health Occ. II) §§ 12-101 *et seq.* (2014 Repl. Vol. and 2017 Supp.). This Order is based on the following investigative findings, which the Board has reason to believe are true:

**INVESTIGATIVE FINDINGS**

Based on information received by, and made known to the Board, and the investigatory information obtained by, received by and made known to and available to the Board, including the instances described below, the Board has reason to believe that the following facts are true:<sup>1</sup>

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<sup>1</sup> The statements regarding the Respondent's conduct are intended to provide the Respondent with notice of the basis of the summary suspension. They are not intended as, and do not necessarily represent a complete description of the evidence, either documentary or testimonial, to be offered against the Respondent in connection with this matter.

1. At all times relevant hereto, the Respondent was registered to practice as a Pharm Tech in the State of Maryland. The Respondent was first registered on November 3, 2014. The Respondent's registration expires on June 30, 2018.

2. At all times relevant hereto, the Respondent was employed as a Pharm Tech at a pharmacy (the "Pharmacy") within a National chain in Silver Spring, Montgomery County, Maryland.<sup>2</sup>

3. By a letter dated June 1, 2017, the Pharmacy reported to the Board that there had been a loss or theft due to employee pilferage, and, that during an interview, an employee admitted to taking Alprazolam<sup>3</sup>, 2 mg tablets.

4. Subsequently, the Board received the Pharmacy's investigative report which reported the following, *inter alia*:

- A. On April 17, 2017, the Pharmacy's Regional Loss Prevention Manager (RLPM) received notification of a discrepancy regarding Alprazolam at one of its stores. The Pharmacy's Manager was asked to complete a loss prevention initial count which then showed a loss of 1,347 pills;
- B. On May 31, 2017, the RLPM and the Pharmacy Supervisor interviewed the Respondent who admitted taking the drugs from two locations, beginning in 2015 until May 2017. He stated that he would remove the drugs through boxes that would be thrown away and then place the pills in his pocket. The Respondent stated he removed stock bottles in this manner as well;

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<sup>2</sup>The names of facilities and individuals are confidential but may be obtained by contacting the Administrative Prosecutor.

<sup>3</sup> Alprazolam is a benzodiazepine used to treat anxiety and panic attacks.

- C. The Respondent also admitted to taking the following drugs: Tylenol ##3 and 4<sup>4</sup>; Xanax<sup>5</sup>, 2 mg; Ventolin<sup>6</sup>; and Synthroid<sup>7</sup>;
- D. The total amount of the loss was \$860.15. On May 31, 2017, the Respondent signed a Promissory Note to pay back that amount to the Pharmacy;
- E. After the Pharmacy completed its interview, the police were called, and the police officer questioned the Respondent at the store. During her questioning, she asked to review texts on his phone, whereupon the Respondent admitted to an additional five drugs stolen: Z-pack<sup>8</sup>; birth control; Vicodin 5/325<sup>9</sup>; Valium<sup>10</sup>; and Promethazine<sup>11</sup>;
- F. The Respondent claimed that he used some of the drugs he stole;
- G. The Respondent's employment was terminated on that date.

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<sup>4</sup> Tylenol #3 has 30 mg. of codeine; #4 has 60 mg. of codeine. Tylenol ## 3 and 4 contain codeine which is an opiate used to treat mild to moderate pain. Acetaminophen, the generic name of Tylenol, is a pain reliever and fever reducer used to treat many conditions such as headaches, muscle aches, arthritis, toothaches, back aches and fevers.

<sup>5</sup> Xanax is the trade name for Alprazolam which is used to treat anxiety and panic disorders.

<sup>6</sup> Ventolin HFA (albuterol) is used to treat or prevent breathing problems in patients who have asthma or certain other airway diseases

<sup>7</sup> Synthroid is a thyroid hormone. This medicine can improve symptoms of thyroid deficiency such as slow speech, lack of energy, weight gain, hair loss, dry skin, and feeling cold. It also helps to treat goiter. It is also used to treat some kinds of thyroid cancer along with surgery and other medicines.

<sup>8</sup> Common Brand Names: Zithromax Z-Pak and Zithromax Azithromycin is an antibiotic useful for the treatment of a number of bacterial infections. This includes middle ear infections, strep throat, pneumonia, traveler's diarrhea, and certain other intestinal infections. It may also be used for a number of sexually transmitted infections including chlamydia and gonorrhea infections. Along with other medications, it may also be used for malaria.

<sup>9</sup> Vicodin contains a combination of acetaminophen and hydrocodone. Hydrocodone is an opioid pain medication. An opioid is sometimes called a narcotic. Acetaminophen is a less potent pain reliever that increases the effects of hydrocodone. Vicodin tablets are used for the relief of moderate to moderately severe pain. In this combination, the Hydrocodone is 5 mg and the acetaminophen is 325mg.

<sup>10</sup> Valium is a benzodiazepine used to treat anxiety and nervousness. It also can help treat alcohol withdrawal, relax muscles, and treat certain types of seizures.

<sup>11</sup> Promethazine is an antihistamine used to treat allergic reactions and to treat or prevent nausea and vomiting from illness or motion sickness. It is also used to make one sleep before surgery, and to help treat pain or nausea after surgery

5. The Respondent advised the police officers that he had some of the stolen drugs at this home inside a gray coat in a closet in his bedroom. The home owner gave the police officers written consent to go into the Respondent's room and collect anything of evidentiary value regarding the thefts from the Pharmacy. The officers collected the following items from three separate coats in the Respondent's closet:

20 green round tablets with Mylan 477<sup>12</sup> inscribed in an open bottle;

50 white rectangular bars inscribed GG249<sup>13</sup>;

1 empty prescription bottle;

23 round tablets inscribed 493350<sup>14</sup>;

Suspected Acetaminophen CIII tablets in an unopened bottle;

32 white round tablets inscribed AN521<sup>15</sup>;

72 white oval shaped tablets inscribed 58 TV<sup>16</sup>;

6 Azithromycin<sup>17</sup> tablets, 250 mg, in a sealed package.

6. On or about August 9, 2017, the Board received a Drug Enforcement Administration (DEA) form from the Pharmacy which indicated that the Respondent had admitted stealing 30 Acetaminophen-Codeine #3 tablets, 150 Acetaminophen-Codeine

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<sup>12</sup> Green, round pills with imprint MYLAN 477 have been identified as Diazepam 10 mg. Diazepam is used in the treatment of anxiety; muscle spasm; alcohol withdrawal; borderline personality disorder; endoscopy or radiology premedication and belongs to the drug classes benzodiazepine anticonvulsants. Diazepam 10 mg is classified as a Schedule 4 controlled substance under the Controlled Substance Act (CSA).

<sup>13</sup> A white, rectangular pill with the imprint GG 249 has been identified as Alprazolam 2 mg.

<sup>14</sup> A white, round pill with the imprint 93 350 on one side and 4 on the other has been identified as Acetaminophen and codeine phosphate 300 mg / 60 mg. Acetaminophen/codeine is used in the treatment of pain and osteoarthritis and belongs to the drug class narcotic analgesic combinations.

<sup>15</sup> A white, round pill with the imprint AN 521 has been identified as Promethazine hydrochloride 25 mg.

<sup>16</sup> A pill with the imprint of TV on one side and 58 on the other has been identified as Tramadol hydrochloride, which is a pain reliever used to treat moderate to severe pain in adults..

<sup>17</sup> Azithromycin is an antibiotic that fights bacteria. Azithromycin is used to treat many different types of infections caused by bacteria, such as respiratory infections, skin infections, ear infections, and sexually transmitted diseases.

#4 and approximately 6-8 stock bottles of Alprazolam 2 mg from two stores within the chain. The Report further indicated that the Respondent was terminated from employment and arrested. The Pharmacy indicated that further losses were found for “this and other medications” and “we suspect that the employee is responsible for the additional medication lost.” The loss was listed as \$2,975.

7. The DEA report submitted by the Pharmacy is as follows:

|                                 |           |              |
|---------------------------------|-----------|--------------|
| Acetaminophen-Cod #4            | 300-60 mg | 1478 tablets |
| Alprazolam                      | 2 mg      | 10 tablets   |
| Diazepam                        | 10 mg     | 909 tablets  |
| Zolpidem Tartrate <sup>18</sup> | 10 mg     | 5 tablets    |
| Alprazolam                      | 2 mg      | 1285 tablets |
| Zolpidem Tartrate               | 10 mg     | 211 tablets  |
| Alprazolam                      | 2 mg      | 51 tablets   |
| Acetaminophen-Cod #3            | 300-30 mg | 28 tablets   |
| Xanax                           | 2 mg      | 14 tablets   |
| Ambien <sup>19</sup>            | 10 mg     | 3 tablets    |
| Vicodin                         | 5-300 mg  | 65 tablets   |
| Acetaminophen-Cod #3            | 300-30 mg | 30 tablets   |
| Acetaminophen-Cod #4            | 300-60 mg | 441 tablets  |
| Alprazolam                      | 2 mg      | 165 tablets  |
| Zolpidem Tartrate               | 10 mg     | 180 tablets  |

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<sup>18</sup> Zolpidem tartrate tablets are indicated for the short-term treatment of insomnia characterized by difficulties with sleep initiation.

<sup>19</sup> Ambien (zolpidem) is a sedative used for the short-term treatment of insomnia by helping one fall asleep.

|                           |            |            |
|---------------------------|------------|------------|
| Tylenol with Codeine #3   | 300-30 mg  | 12 tablets |
| Alprazolam                | 2 mg       | 1 tablet   |
| Hydrocodone-Acetaminophen | 7.5-300 mg | 1 tablet   |

8. In connection with the theft of drugs from his employer, the Respondent was criminally charged in the District Court for Montgomery County with 12 counts from CDS possess with intent to distribute to prescription/false labeling. A hearing is pending.

9. The Respondent's theft of drugs from his employer, is a threat to the public health, safety or welfare.

**CONCLUSIONS OF LAW**

Based on the foregoing, the Board finds that the public health, safety or welfare imperatively requires emergency action, pursuant to SG II §10-226 (c) (2) (2014 Repl. Vol. and 2017 Supp.).

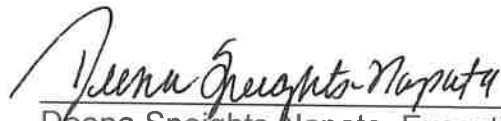
**ORDER**

Based on the foregoing, it is therefore this 22<sup>nd</sup> day of March, 2018, by a majority vote of a quorum of the Board, by authority granted to the Board by SG II §10-226(c)(2), the registration held by the Respondent, **PEDRO VILLALOBOS**, to practice as a Pharm Tech in Maryland, Registration No. **T15438**, is hereby **SUMMARILY SUSPENDED**; and it is further

**ORDERED** that, upon the Board's receipt of a written request from the Respondent, a Show Cause Hearing shall be scheduled within a reasonable time of said request, at which the Respondent will be given an opportunity to be heard as to whether the Summary Suspension should be continued; and it is further

**ORDERED** that the Respondent shall immediately turn over to the Board his wall certificate and wallet-sized registration to practice as a Pharm Tech issued by the Board; and it is further;

**ORDERED** that this document constitutes an Order of the Board and is a public document for purposes of public disclosure, as required by Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2014 Vol. and 2017 Supp.).



Deena Speights-Napata, Executive Director  
Board of Pharmacy

#### **NOTICE OF HEARING**

A Show Cause hearing to determine whether the Summary Suspension shall be continued will be held before the Board at 4201 Patterson Avenue, Baltimore, 21215, following a written request by the Respondent for same.